

## Message Text

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ACTION DLOS-04

INFO OCT-01 AF-06 EUR-12 ISO-00 FEA-01 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01

TRSE-00 H-02 INR-07 INT-05 IO-11 JUSE-00 L-03 NSAE-00

NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02

SS-15 USIA-06 SAL-01 /125 W  
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R 171719Z MAR 76

FM AMEMBASSY BAMAKO

TO SECSTATE WASHDC 3490

INFO AMEMBASSY ABIDJAN

AMEMBASSY DAKAR

AMEMBASSY NOUAKCHOTT

AMEMBASSY PARIS

USUN NEW YORK 277

C O N F I D E N T I A L BAMAKO 0957

E.O. 11652: GDS

TAGS: PLOS, ML

SUBJECT: MALIAN PERCEPTIONS OF THE 1976 LOS CONFERENCE

REF: STATE 54588

1. DCM AND EMBOFF MET MARCH 12 WITH DJIBRIL MAIGA, DIRECTOR OF THE LEGAL DIVISION, MINISTRY OF FOREIGN AFFAIRS, AND PRESENTED POINTS RAISED IN REFTEL. MAIGA, MALI'S LOS EXPERT AND CHIEF OF ITS DELEGATION TO ALL PREVIOUS LOS CONFERENCE, WILL NOT GO TO NEW YORK SINCE BOTH AMB. KANTE AND THE SECOND SECRETARY OF MALI'S PERMANENT U.N. MISSION, HAVE PREVIOUS LOS CONFERENCE EXPERIENCE.

WE TOLD MAIGA THAT USDEL WOULD BE PLEASED TO MEET WITH THEM. HOWEVER, SINCE MAIGA SPOKE WITH ABSOLUTE AUTHORITY

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ON MALI'S LOS POSITION, WE CONCLUDE THAT HE DRAFTED

THE MALIAN DELEGATION'S INSTRUCTIONS AND WILL FOLLOW THE NEGOTIATIONS AS CLOSELY AS MALI'S LIMITED DIPLOMATIC COMMUNICATIONS ALLOW.

2. IN RESPONSE TO OUR REPRESENTATION ON THE CONFERENCE, MAIGA REVIEWED PAST NEGOTIATIONS AND ANALYSED THE FOLLOWING PROBLEM AREAS FACING THE CURRENT SESSION:

A. DEEP SEABED. MAIGA SAID THAT THE REAL DIFFICULTY WAS A SPLIT BETWEEN CAPITALIST AND SOCIALIST STATES OVER PRIVATE VS. PUBLIC EXPLOITATION OF THE SEABED. THE POSITION OF THE GROUP OF 77 SHOULD NOT BLOCK CREATION OF AN INTERNATIONAL ORGANIZATION FOR MINING THE DEEP SEABED. THE GROUP OF 77 HAS INSISTED ONLY ON THE PRINCIPLE OF ULTIMATE COMPETENCE FOR THE ADMINISTERING AUTHORITY. IF THAT PRINCIPLE IS ACCEPTED, DETAILS CONCERNING LICENSING, EXPLORATION AND EXPLOITATION CAN BE WORKED OUT.

B. ECONOMIC ZONE. MAIGA SEES MAJOR OPPOSITION AHEAD TO THE AMERICAN AND SOVIET DESIRE TO AVOID A CONSENT REGIME ON RESEARCH IN THE ECONOMIC ZONE. HE NOTED THAT MEMBERS OF THE GROUP OF 77 CONSIDERED CONTROL OF RESEARCH IN THE ECONOMIC ZONE A SOVEREIGN RIGHT OF COASTAL STATES. WITHOUT A CONSENT REQUIREMENT, THE GREAT POWERS WOULD HAVE UNBRIDLED ACCESS TO THE ECONOMIC ZONE FOR RESEARCH, EXPLORATION AND QTE SPYING END QTE. MAIGA SAID THAT THE GREAT POWERS SHOULD RECOGNIZE THE STRENGTH OF OTHER STATES' FEELINGS ON THIS ISSUE. CONFLICT BETWEEN THE LAND-LOCKED, DISADVANTAGED STATES AND COASTAL STATES OVER ACCESS TO LIVING AND NON-LIVING RESOURCES IN THE ECONOMIC ZONE POSED ANOTHER PROBLEM. MAIGA LABELED AS UNREALISTIC THE LAND-LOCKED STATES' EFFORT TO SHARE IN THE EXPLOITATION OF NON-LIVING RESOURCES. HE HOPED THE LAND-LOCKED, DISADVANTAGED GROUP WOULD CONCENTRATE INSTEAD ON THE MORE IMPORTANT AND REALISTIC GOAL OF UNIMPEDED ACCESS TO LIVING RESOURCES IN THE ECONOMIC ZONE.

C. MALI'S INTERESTS. AS A LAND-LOCKED STATE, MALI'S FIRST INTEREST IS INTERNATIONALLY GUARANTEED ACCESS TO THE SEA. MAIGA SAID THAT MALI, ALONG WITH OTHER LAND-LOCKED STATES, REJECTED THE NOTION THAT ACCESS SHOULD BE PERMITTED ONLY BY A BILATERAL TREATY. MALI WANTED RIGHT OF ACCESS TO THE SEA INCORPORATED INTO THE LOS CONVENTION AND THUS RECOGNIZED IN INTERNATIONAL LAW. MAIGA  
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HOPED THE UNITED STATES WOULD SUPPORT LAND-LOCKED STATES' PURSUIT OF THIS OBJECTIVE.

MALI'S SECOND INTEREST IS ACCESS TO LIVING RESOURCES IN THE ECONOMIC ZONE. MAIGA AGREED THAT THIS QUESTION MIGHT BE RESOLVED ON A REGIONAL BASIS. HE CITED AS AN EXAMPLE THE POSSIBLE ESTABLISHMENT OF A MALIAN FISHING FLEET IN THE ECONOMIC ZONE OF SENEGAL AND MAURITANIA, MALI'S PARTNERS IN THE SENEGAL RIVER DEVELOPMENT ORGANI-

ZATION (OMVS). MAIGA FELT THAT IN THE LOS NEGOTIATIONS MALIAN INTERESTS WOULD BENEFIT FROM THE INCREASED NUMBER AND INFLUENCE OF LAND-LOCKED, DISADVANTAGED STATES WHO SHARED THE SAME OBJECTIVES.

3. COMMENT: MAIGA WAS WELL INFORMED ON LOS NEGOTIATIONS AND SEEMED SYMPATHETIC TO THE GROUP OF 77'S POSITION EVEN THOUGH THIS FAVORED COASTAL-STATE INTERESTS. WE CONCLUDE, HOWEVER, THAT MALI MIGHT BREAK WITH THE GROUP OF 77 ON QUESTIONS LIKE RESEARCH IN THE ECONOMIC ZONE OR JURISDICTIONAL POWERS OF THE DEEP SEABED ORGANIZATION IN RETURN FOR SUPPORT FOR GUARANTEED ACCESS TO THE SEA AND FISHING RIGHTS IN THE ECONOMIC ZONE. END COMMENT.

4. ACTION REQUESTED: DURING DISCUSSION OF THE U.S. POSITION ON THE ECONOMIC ZONE, MAIGA ASKED HOW THE U.S. WOULD CALCULATE THE 200-MILE LIMIT; WHAT BASE LINE WE WOULD USE, HOW WE WOULD FIGURE THE LIMIT IN RELATION TO BAYS, ISLANDS AND ARCHIPELAGOES. THE EMBASSY WOULD APPRECIATE RECEIVING AN UP-TO-DATE SUMMARY IN FRENCH OF THE USG POSITION ON THE ABOVE QUESTIONS.  
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